

STATUS OF ACTIVE NEIC CASES

FISCAL YEAR	FACILITY	PROGRAMS	Inspection Date	NON-COMPLIANCE	STATUS OF ENFORCEMENT	Program Contact (staff level)	COMMENTS
2016	Middlesex County Utilities Authority, Sayreville, NJ	Water	Fall of 2015				
2015	Norlite Cohoes, NY	Air	March 17-19, 2015	Preliminary NEIC findings of MACT non-compliance.	Awaiting NEIC inspection report and analysis, which is still under internal review. Draft is due to Region 2 by 7/31/15, but could it could be provided earlier.	Hans Buenning	
		EPCRA					
		RCRA					
		SPCC		Inadequate SPCC Plan (Left out tremendous amount of oil capacity)	Draft SPCC Report and NON under Management Review	Charles Zafonte	CAPSB not NEIC did the inspection
2014	IMTT Bayonne, Bayonne, NJ	CAA	Aug 3 - 15, 2014	Waiting for Inspection Report - Middle of February			
2014	SII Group (formerly Schenectady Int'l), Rotterdam Junction, NY	CAA	Wk of April 20, 2014	No continuous organic monitoring for 14 days in 2012; Use of an inappropriate monitoring instrument for formaldehyde and organic HAPs; No performance test on a C adsorption unit;	NEIC Final Report for EPCRA, CWA, CAA received Week of December 19, 2014. Consider administrative order		
		CWA		The WWTP primary clarifier was not operating in Apr 2014, with solids overtopping weir, and not repaired until at least July 2014; No preventive/corrective action program is in place; DMRs identify numerous permit exceedances from 2012 on, only some of which are addressed in a DEC March 2014 consent order; The facility has not conducted required hot spot identification sampling; Oil & grease and phenol samples were not collected directly into glass; Other samples were not kept at the temperature required.	NEIC Final Report for EPCRA, CWA, CAA received Week of December 19, 2014. Put issues in inspection letter to facility and go through normal SNAP process to give State opportunity to take action		
		EPCRA		2 TRI chemicals > threshold levels were not reported for 3 years; 4 years of TRI reporting had data quality errors.	NEIC Final Report for EPCRA, CWA, CAA received Week of December 19, 2014. Expect to issue a fairly large penalty order (> \$300K)		
		RCRA	Oct/Nov 2014	Preliminary Finding: The facility stored hazardous waste in tanks for longer than 90 days (few times) without a RCRA permit or interim status; a tank which contained hazardous waste was not marked or labeled as "Hazardous Waste"; failure to mark a valve associated with a tank.	No final report yet from NEIC but RCB is drafting a 3007 information request letter based on preliminary findings to keep the case moving. If air emissions issues then administrative complaint		
2013	Revere Lead Smelting & Refining, Middletown, NY	CAA	Week of June 10, 2013	Revere failed to maintain a negative air pressure on lead operations (perhaps not violating new reg).	Planning to pursue AO in FY15; will refer to ORC for attorney assignment		
		CWA		Revere's SWPPP does not include two possible areas of contamination: a loading area and storage area.	Will send a inspection follow-up letter		
		EPCRA		Revere failed to include all components of its slag in its EPCRA 313 report (PTSB pursuing).	An EPCRA Section 313 CAFO was issued to the company on 9/29/14. The CAFO included a Pollution Reduction SEP.		Complete

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		RCRA		Hazardous waste leaking onto a parking lot; Lead allowed to leach into the ground in a restoration area; Incomplete inspection records demonstrating performance of weekly haz waste container inspections; Hazardous waste container not completely closed; Container mislabeling.	Issued an NOV/IRL on June 4, 2014. RCB received Revere's response on June 24, 2014 in which it rebutted EPA's allegations regarding releases of hazardous waste but admitted to failure to have container inspection records and keeping a container closed. No further action is anticipated at this time.		Complete
2013	Finch Paper, Glens Falls, NY	CAA	Week of May 14, 2013	Finch did not evaluate condensate and wastewater streams for compliance with §63.444(c)(2)(i); Finch operated the bleach plant scrubber outside its established operating range. Finch does not monitor gas scrubber vent gas inlet flow rate, or pH at the gas scrubber effluent. Finch did not report bleach plant scrubber or mist eliminator excursions. Finch does not ensure and record inspection of all components in the closed vent system. Finch does not have electronic CPMS data for a mist eliminator prior to June 2011. Finch failed to report an exceedance of the established operating range for pressure drop for a mist eliminator.	ACB: Planning to pursue an AO in FY15; referred to ORC in July 2014, awaiting attorney assignment		
		CWA-NPDES		Finch's SPDES permit does not authorize 3 outfalls that could receive contaminated runoff from the mill production or WWTP areas. A 4th is identified on the Finch WWTP Site Plan but was not located in the field. Finch does not have a BMP Plan, as required by its SPDES permit. Finch provided no recent sampling results, or any results from sampling waste streams to identify toxic hotspots as required in the permit. Finch last revised its SWPPP in 2008 and was unable to document an annual review, as required. Its SWPPP does not reflect substantial stormwater changes in production areas, does not identify the destination of several drop inlets in production areas and inadequately describes outfalls discharging roof drainage from the paper machine building.	WCB: Fitch was issued an Order by us on 9/16/2014		Complete
		CWA-SPCC		Major and minor violations in the SPCC Plan and its implementation.	Oct 2013: R2 issued NON.		Complete
2013	TAPI, Guayama, PR	CAA, CWA, EPCRA, RCRA	Week of Feb 13, 2013	Operation of facility's hazardous waste incinerators outside of required range; failure to monitor condenser temperatures.	Awaiting response to CAA 114 Letter issued 1/2/15 - TAPI asked for 60-day extension - will propose only 30 days. If need more, will say 30 days for certain questions - 15 days more for others.		CEPD to issue referral 3Q FY15 for pretreatment, CAA, RCRA & EPCRA violations
		CWA		TAPI's pretreatment wastewater system is not being properly operated and maintained, including tank leakage, cracks and misuse, missing or malfunctioning equipment, lack of effluent flow control, allowing storm water into process wastewater, inadequate O&M manual and operator licensure and DMR exceedances.	CEPD reviewing minor comments from WCB.		CEPD to issue referral 3Q FY15 for pretreatment, CAA, RCRA & EPCRA violations
		EPCRA		Failure to report and reporting inaccuracies.	PTSB issued show cause. EPCRA portion of referral package complete		CEPD to issue referral 3Q FY15 for pretreatment, CAA, RCRA & EPCRA violations
		RCRA		TAPI is storing hazardous waste in containers and tanks without a permit by not dating, labeling and inspecting them, by not inspecting tank secondary containment and by not ensuring the integrity of the secondary containment liner; VOC emissions from leaks in tank hatches and vents, ranging from 2,000 to 90,000 ppmv.	CEPD requested to include RCB's previous inspection findings, which led to the NEIC work. Should have RCRA portion of referral package ready by mid-February		CEPD to issue referral 3Q FY15 for pretreatment, CAA, RCRA & EPCRA violations